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Chapter No. 929  
16/HR43/R2263  
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## ***HOUSE BILL NO. 1782***

Originated in House  Clerk

HOUSE BILL NO. 1782

AN ACT TO AMEND CHAPTER 928, LOCAL AND PRIVATE LAWS OF 2015, TO CLARIFY THE ELECTION PROCESS FOR THE OFFICE OF BOARD OF COMMISSIONER OF THE TISHOMINGO COUNTY WATER DISTRICT; TO PROVIDE CERTAIN ELIGIBILITY CRITERIA TO QUALIFY FOR SUCH OFFICE AND TO PROVIDE THAT CERTAIN NOTICE BE PROVIDED REGARDING SUCH ELECTION; AND FOR RELATED PURPOSES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

**SECTION 1.** Chapter 928, Local and Private Laws of 2015, is amended as follows:

Section 1. \* \* \* Notwithstanding the provisions of Section 19-5-151, et seq., Mississippi Code of 1972, the Board of Supervisors of Tishomingo County, after adopting a resolution, shall provide for the election of \* \* \* the Board of Commissioners of the Tishomingo County Water District, Inc. Such commissioners shall be elected by the water meter holders who reside in the physical area served by the district.

\* \* \*

Section 2. (1) The initial election for the board of commissioners of the water district shall be held on the first

Tuesday in September of 2016, and the election shall be conducted by paper ballot listing all of the candidates seeking the office of commissioner. Such election shall be held at the Tishomingo County Water District office located at 117 East Eastport Street, in Iuka, Mississippi, and the election shall be conducted between the hours of 8:00 a.m. and 6:00 p.m.

(2) Before the election is held, as required under this section, notice of such election shall be published in a paper of general circulation in Tishomingo County, Mississippi, for three (3) consecutive weeks. In addition to the notice provided in the paper, the same notice of the election shall be posted on the door of Tishomingo County Water District and on the front door of the Tishomingo County Courthouse for the same period of time as required by the paper notice. The notice regarding the election shall provide the following information:

(a) The date of the election;  
(b) The qualifying deadline for the election; and  
(c) The qualifications for persons seeking the office of board of commissioner of the water district.

Section 3. (1) The initial qualifications to seek the office of board of commissioner of the water district shall be the following:

(a) A person must be at least twenty-five (25) years of age;

(b) A person must be a water meter holder in the water district;

(c) A person must be a resident of the service boundaries of the water district areas where water service is presently being provided; and

(d) A person shall not be precluded from being bonded in the sums and manner as required by Section 19-5-171(2), Mississippi Code of 1972.

(2) The chancery clerk of Tishomingo County, Mississippi, shall cause to be published in a paper of general circulation within the county the qualifications as prescribed under this section. Such qualifications shall be published for three (3) consecutive weeks with the date of last publication being twenty-one (21) days or more before the date of the election specified under this act.

Section 4. (1) Qualifying for the office of board of commissioner shall begin on the first Monday in August of 2016, and shall continue for twenty-one (21) calendar days thereafter. If the final day of qualification falls on a weekend or holiday, then the qualifying period shall be extended until closing hours for the water district office on the next business day.

(2) The names of all candidates qualifying for the office of board of commissioner shall appear on a paper ballot, and all votes shall be cast at the Tishomingo County Water District office on the date prescribed under Section 2 of this act.

Section 5. (1) The election of five (5) board of commissioner members shall be made from the five (5) persons receiving the five (5) highest number of votes in the election, and such members shall serve for a five-year term.

(2) If a vacancy occurs for the office of board of commissioner, then such vacancy shall be filled at a special election held in like manner as prescribed under this act within sixty (60) days of the vacancy being declared by the board of commissioners.

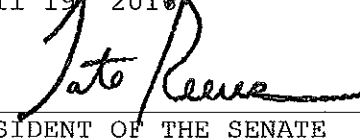
Section 6. The board of commissioners is authorized, under its discretion, to dissolve, transfer or convey the water district by unanimous vote of such board or by a majority vote of the voting members of any election called by such board.

**SECTION 2.** This act shall take effect and be in force from and after its passage.

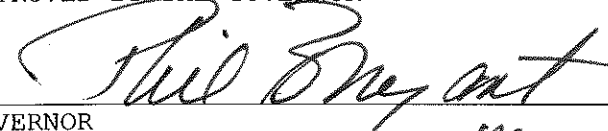
PASSED BY THE HOUSE OF REPRESENTATIVES  
April 13, 2016

  
SPEAKER OF THE HOUSE OF REPRESENTATIVES

PASSED BY THE SENATE  
April 19, 2016

  
PRESIDENT OF THE SENATE

APPROVED BY THE GOVERNOR

  
GOVERNOR

May 3, 2016  
9:40 AM